

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
v.	:	Case No. 3:09-CR-109
PIERRE COLQUITT,	:	JUDGE WALTER H. RICE
Defendant.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #166); OVERRULING DEFENDANT'S OBJECTIONS THERETO (DOC. #169); OVERRULING DEFENDANT'S MOTION FOR RECONSIDERATION (DOC. #165); DEFENDANT TO SHOW CAUSE IN WRITING WITHIN 14 DAYS WHY HIS CONDUCT DOES NOT VIOLATE FEDERAL RULE OF CIVIL PROCEDURE 11(b) AND WHY HE SHOULD NOT BE SANCTIONED UNDER FEDERAL RULE OF CIVIL PROCEDURE 11(c)

As Magistrate Judge Michael R. Merz noted in his February 2, 2017, Report and Recommendation to Deny Motion for Reconsideration and Sanction Defendant for Frivolous Filings, Doc. #166, Defendant Pierre Colquitt has never appealed the Court's Decision and Entry Overruling his Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence, Doc. #149. Instead, he has filed a long series of motions for reconsideration. Docs. ##150, 155, 159, 161, 163. All have been overruled or stricken as legally frivolous.

This matter is currently before the Court on yet another Motion for Reconsideration. Doc. #165. In his February 2, 2017, Report and

Recommendation, Doc. #166, Magistrate Judge Merz recommends that this motion also be denied as meritless, and that Colquitt be ordered to show cause why he should not be sanctioned under Federal Rule of Civil Procedure 11(c) and prohibited from filing any additional motions for reconsideration.

Colquitt filed timely Objections to the Report and Recommendations. Doc. #169. He denies that his motions are frivolous, and rehashes the same arguments that the Court has rejected time and time again.

Based on the reasoning set forth in the Report and Recommendations, Doc. #166, as well as upon a thorough *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety, OVERRULES Defendant's Objections thereto, Doc. #169, and OVERRULES Defendant's Motion for Reconsideration, Doc. #165.

Federal Rule of Civil Procedure 11(b) prohibits parties from filing motions for any improper purpose. As Magistrate Judge Merz noted, Defendant's repetitive filings of motions for reconsideration have become harassing. Accordingly, within 14 days of the date of this Decision and Entry, Defendant is ordered to SHOW CAUSE in writing why his conduct does not violate Rule 11(b), and why he should not be sanctioned under Rule 11(c) by being prohibited from filing any further motions for reconsideration.

Date: March 9, 2017



WALTER H. RICE
UNITED STATES DISTRICT JUDGE